

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committee on  
JUDICIARY**

**Tuesday, February 24, 2015  
2:00 PM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 525, HOUSE DRAFT 2  
RELATING TO STATE PARKS**

House Bill 525, House Draft 2 proposes to prohibit smoking, the use of electronic smoking devices, and the use of tobacco products within the state park system and requires posting of signage. **The Department of Land and Natural Resources (Department) appreciates the intent of this bill as it would enhance the visitor experience at state parks eliminating any exposure to second hand smoke, and litter from cigarette butts, however the Department is concerned with budget implications and expectations of enforcement.**

The Department recognizes that most people who visit our state parks expect to experience the natural, cultural, or scenic resources and the clean fresh air. Tobacco smoke mars this experience.

However, the Department has some concerns related to costs for replacement signage, flexibility in sign postings. The Department has developed standardized signage which includes text which varies in size and requests that the specified 1" text size in the bill be removed. In addition, the capacity of the Department to provide meaningful enforcement of the prohibition provision is limited in light of staffing shortages and other ongoing priorities.

Thank you for the opportunity to testify on this measure.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



Feb. 12, 2015

To: Chair Rhoads, Vice Chair Buenaventura and Members of the House Committee on Judiciary (JUD)  
Re: Strong Support for HB 525, Relating to State Parks  
Hrg: Tue., Feb. 24, 2015 at 2:00 pm, Room 325

Mahalo for the opportunity to submit testimony in strong support of HB 525. As the Hawaiian Islands Manager of the Surfrider Foundation, I have worked with our five chapters to help pass popular county bills for Smoke- & Tobacco-Free Beaches. Now, with successful bills on the Big Island, Oahu and Maui, we would like to work with you to create a more consistent statewide policy that will not only reduces the huge amounts of litter on our beaches but also protects beachgoers, children and marine life from the toxic effects of cigarette butts and second-hand smoke.

As a former smoker myself, I know how addictive and destructive cigarettes can be. I strongly support extending the ban on tobacco products to all of Hawaii's parks. The current language would only apply these prohibitions within the state park system, which would lead to inconsistencies with county laws and cause confusion for residents and tourists. So I would suggest changing the language of the bill to apply the prohibitions to all parks within the state of Hawai'i.

We are founding members of the Rise Above Plastics (RAP) Coalition, whose members include Styrophobia, Conservation Council for Hawaii, Sustainable Coastlines, Surfrider and Kokua Hawaii Foundation, and we support tobacco-free parks. We believe all parks within the state should be tobacco-free. Cigarette butts are the most littered items in Hawaii and across the world, and we find thousands of them at our monthly beach cleanups around the state.

In fact, on Sat., 1/31/15, Surfrider and the Rise Above Plastics (RAP) Coalition hosted a series of RAP Cleanups around the state and collected more than 15,000 cigarette butts and 3400 pieces of other plastic debris! At a similar cleanup last year on Maui, students and volunteers picked up more than 14,500 in less than two hours. Most people don't realize that cigarette butts are made of plastic, endure in the environment for years and are toxic to marine creatures and small children who ingest them.

Along with the toxic effects of cigarette butts, we hope to reduce secondhand tobacco smoke, both of which have many known carcinogens. Studies have shown that when people are in close proximity to each other, the levels of exposure to secondhand smoke can be comparable to secondhand smoke levels measured within enclosed spaces. I grew up with parents who smoked and still experience health issues like chronic sore throats.

As members of the RAP Coalition, we urge you to pass HB 525 in order to protect residents, tourists, children and wildlife from exposure to secondhand smoke and toxic cigarette butts. This bill will also help keep our beaches, parks and coastal areas cleaner and healthier, while reducing the labor and costs for state and county agencies and groups like ours who have to clean them up! Mahalo for your consideration and leadership on this issue and let me know if you have any questions.

Sincerely,  
Stuart Coleman  
Stuart H. Coleman  
Hawaii Coordinator

Surfrider Foundation Hawaii Chapters \* 2121 Algaroba St., #1107 \* Honolulu, HI 96826  
808-381-6220 \* [scoleman@surfrider.org](mailto:scoleman@surfrider.org) \* [www.surfrider.org](http://www.surfrider.org)

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charlie Quesnel	Surfrider Maui Chapter	Comments Only	No

Comments: As a long term member of our organization and the fact that we've been doing monthly beach cleanups for over 5 years I see firsthand the overwhelming amount of cigarette butts we retrieve at both State and County beach parks where we're at on Maui. And we need to take the next step in this ban by making one for the State parks and beaches. I hope this testimony will be taken into consideration, it's bad.



**Testimony in SUPPORT of HB525 HD2  
RELATING TO STATE PARKS  
February 24, 2015  
2:00PM  
State Capitol, Room 325**

The Outdoor Circle works everyday to ensure a “Clean, Green, and Beautiful” Hawai‘i. This not only includes preventing unnecessary little from cigarettes, but protecting the people from potential threats to their health such as second-hand smoke.

The enactment of HB525 HD2 would help ensure neither of these continue on our beautiful beaches. Considering three out of four counties (Oahu, Maui, and Hawai‘i Island) have passed either tobacco or smoke-free ordinances covering county parks and beaches, we should work together to ensure the entire state is preventing unnecessary harm to others and our environment.

As such, The Outdoor Circle fully supports HB 525 with the only change coming in the form of an earlier implementation date of 2015 rather than 2050.

Mahalo,

Gloria Taaffe, Programs and Administration  
The Outdoor Circle  
1314 South King Street, Suite 306  
Honolulu, HI 96814  
Phone: 808-593-0300  
[www.outdoorcircle.org](http://www.outdoorcircle.org)



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Written Testimony Presented Before the  
House Committee on Judiciary  
February 24, 2015 at 2:00 pm

By

Robert Bley-Vroman, Chancellor

and

Jerris Hedges, MD, MS, MMM

Dean, John A. Burns School of Medicine

Interim Director, University of Hawai'i Cancer Center

University of Hawai'i at Mānoa

### HB 525 HD2 – RELATING TO STATE PARKS

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

The University of Hawai'i supports this bill.

The UH Cancer Center is one of only 68 institutions in the United States that hold the prestigious National Cancer Institute (NCI) designation, and is the only NCI-designated center in the Pacific. The NCI designation provides greater access to federal funding and research opportunities, and gives the people of Hawai'i and the Pacific region access to innovative and potentially life-saving clinical trials without the necessity of traveling to the mainland.

Our passion at the UH Cancer Center is to be a world leader in eliminating cancer through research, education and improved patient care. Because tobacco consumption is a leading preventable cause of cancer, we take all issues related to tobacco very seriously. We have always supported strong tobacco control measures in Hawai'i.

With regard to electronic smoking devices, our perspective is informed by data recently obtained from Hawai'i adolescents and young adults who are participants in original research conducted by our own faculty. This research is vital to gaining an evidence-based understanding of what drives acceptance of this emerging technology, what users believe regarding its safety, and what the consequences are for adolescents, whose brains are particularly susceptible to nicotine.

Research conducted in Hawai'i high schools by Thomas Wills, PhD, has confirmed that rates of e-cigarette use by Hawai'i adolescents are at least double the rate of e-cigarette use observed in studies of mainland adolescents. Furthermore, his study published in the peer-reviewed journal *Pediatrics* clarified a reason why e-cigarette use is growing nationally among teens, as his data suggest that e-cigarettes may be operating to recruit lower-risk adolescents to smoking. And recently Pallav Pokhrel, PhD, and Thaddeus Herzog, PhD, published on the topic of e-cigarettes and motivation to quit

smoking. Drs. Pokhrel and Herzog also assessed differences between smokers who used e-cigarettes to quit versus those who used FDA-approved nicotine replacement therapy. Additionally, these researchers have published on the effects of e-cigarette marketing on harm perceptions, as well as e-cigarette use expectancies and their impact on e-cigarette use among young adults.

As scientific research on electronic smoking devices progresses, we will have a stronger basis to adjust laws according to evidence. At the present time, however, caution is warranted. As others have noted, the FDA currently does not regulate e-cigarettes, and thus the consumer has no assurances regarding e-cigarette ingredients. Further, because of the novelty of e-cigarettes, the long term effects of using these devices are unknown. A further concern, not often discussed, is the potential for electronic smoking devices to be used as drug delivery devices for substances other than nicotine.

We respectfully urge you to pass this bill.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tim Lara	Individual	Support	No

Comments: My name is Tim Lara, I support this bill and would love to see Hawaii as the first State to have a state wide policy on smoking and also further the county bill we've already passed on Maui to include state parks. At beach clean ups this is the number one item we find on the beach! 44 Koki Place Kihei Hi. 96753

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew O'Riordan	Individual	Comments Only	No

Comments: Dear Sir or Madam, My name is Andrew O'Riordan and I'm testifying on behalf of the Maui Surfrider Foundation. I am a voter, an active citizen, a community activist, and a taxpayer. It is imperative to me that my state representatives make the choice that my County has, to ban smoking at all States and Parks in Hawai'i. Cigarette butts are the number one littered item in Hawai'i, and I know this because my organization cleans Hawai'i's beaches every month. I really care about this, and I need you to seriously consider this sensible, practical, and vital legislation. The micro-plastics in cigarette butts are contaminating Hawaii's coastal environments, and it needs to stop. Regards, Andrew O'Riordan



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robi Campbell	Individual	Support	No

Comments: Cigarette butts are the most pollution on Maui beaches

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lucienne de naie	Individual	Support	No

Comments: Aloha Judiciary Committee members, Our visitors to Hawaii expect clean healthful beaches. Please support this bill. Our Maui ban on smoking in County beach parks was strongly supported by our young high school leaders and students. We owe the future generations a chance to have beaches free of unhealthy cigarette litter.  
Mahalo nui Lucienne de Naie Maui

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauren Blickley	Individual	Support	No

Comments: Dear Sir or Madam, Cigarette Butts are the NUMBER ONE most commonly littered item in the environment - including on our beaches. I was actively involved with the legislation in Maui County that banned tobacco use in all Maui County parks and on County beaches. The legislation was directly aimed at reducing the amount of cigarette butts on Maui's beaches. The legislation met very little resistance, and was successfully passed at the County level. I ask you to carry this legislation to the state level and help Hawai'i take the next step towards enhancing and promoting healthy beaches and oceans. It is imperative to me that my state representatives make the choice that my County has, to ban smoking at all States and Parks in Hawai'i. Regards, Lauren Blickley

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edward Bohlen	Individual	Support	No

Comments: Please ban smoking and use of tobacco products in State parks to protect public health and the environment. Mahalo

**Date:** 23<sup>rd</sup> February, 2015

**To:** Chair Karl Rhoads, Vice-chair Joy A. San Buenaventura, and Members of the Committee on Judiciary

**From:** Dean Otsuki, P.O. Box 25284, Honolulu, HI 96825

**RE: TESTIMONY IN SUPPORT OF HB525 HD2  
RELATING TO STATE PARKS**

Prohibits smoking and the use of tobacco products within the state park system. Requires posting of signage prohibiting smoking or the use of tobacco products. (HB525 HD2)

Committee Meeting on Tuesday 24<sup>th</sup> February, 2015 at 2PM.

Aloha Chair Rhoads, Vice-chair San Buenaventura and Members of the Committee on Judiciary,

I am writing in support of HB525 HD2 which will ban smoking and use of tobacco products within the state park system.

I feel that the public's health would be better served to have all of Hawai'i's state parks tobacco-free. Hawai'i's residents and visitors should have their health protected from toxic second hand smoke and have the right to breath clean air.

Second hand smoke releases over 250 toxic chemicals and more than 50 of them are known to cause cancer. Cigarette butts can smolder for up to 3 hours and release dangerous and toxic chemicals into the air. Toxic chemicals leach out of cigarette butts within an hour of being in contact with water. Marine life have been found dead after ingesting butts.

I think that we can all agree that smoking is an unhealthy habit. Smoking cigarettes is linked to cancer and emphysema. My mother and father both smoked for years and died from smoking related diseases. Watching my once healthy father deteriorate into a person with emphysema and dependent on an air tank for oxygen was a painful experience for me. At the end of his life he couldn't walk more than 5 feet without having to sit down and rest. My mother originally had cancer in her lungs which rapidly spread throughout her body and she died within a few months. Had there been a smoking ban when they were younger it could have encouraged them to quit smoking and possibly prolong their lives. Other smokers that I have talked to said that being around non-smokers makes it easier to quit smoking.

I am against having designated smoking areas in parks. The direction of where second hand smoke drifts depends on the direction of the wind and in Hawai'i it blows from the east, west, south and north on any given day. Non-smokers could be subjected to second hand smoke depending on which way the wind is coming from.

No smoking signage, posters and public service announcements informing the public about the smoking ban will help a lot in educating visitors and locals about the new law. Education about the new law is key. I feel that educating the public about the smoking ban like the state smoking ban in public spaces in 2006 and the 2014 Honolulu County smoking ban in parks will help tremendously in enforcing the smoking ban. The law would give non-smokers confidence to tell smokers to not smoke at state parks because the law would be on their side. It definitely gave me

confidence when confronting smokers on beaches at Honolulu County beaches and parks when that law became effective last year. Most smokers are law abiding citizens and will stop smoking in smoke-free areas if informed nicely about the smoke-free law.

Cigarette butts degrade the beauty of the beach and are the most littered plastic item collected at beach clean-ups around the world and Hawai`i is no different. Plastic does not biodegrade, it lasts forever in the environment. This is not ordinary litter like candy wrappers or food containers, this is toxic litter. Cyanide, formaldehyde, arsenic are just a few of the hundreds of poisonous chemicals found in cigarette butts. If a toddler ingests a cigarette butt he or she can be fatally harmed. Banning smoking at state parks would drastically reduce the amount of butt litter and keep our keiki safe.

A smoking ban could be a blessing in disguise for a lot of smokers to quit and add more years to their life along with other people around them. Thank you for allowing me to provide written testimony in support of HB525 HD2.

Yours sincerely,

Dean Otsuki.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristie Reilly	Individual	Support	No

Comments: I strongly support HB525 because this measure will protect the public from dangerous second-hand smoke in addition to protecting the environment in Hawaii's parks. To date, three out of four counties (Oahu, Maui, and Hawai'i Island) have passed either tobacco or smoke-free ordinances covering county parks and beaches. It is important to close the loop and make all parks within the state smoke and tobacco free!

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Support	No

Comments:



# Beach Environmental Awareness Campaign Hawai'i

P.O. Box 25284 · Honolulu · Hawai'i · 96825

(808) 393 2168 · [www.b-e-a-c-h.org](http://www.b-e-a-c-h.org)

DATE: 23rd February, 2015

TO: Chair Karl Rhoads, Vice-Chair Joy Buenaventura and Members of the Committee on Judiciary

FROM: Suzanne Frazer, President, Beach Environmental Awareness Campaign Hawai'i

RE: **TESTIMONY IN STRONG SUPPORT OF HB 525 HD2**  
Relating to State Parks. Prohibiting smoking and the use of tobacco products within the state park system.

Committee meeting on Tuesday 24th February, 2015 at 2PM in conference room 325

Aloha Chair Rhoads, Vice-Chair Buenaventura and Committee Members,

I am writing on behalf of Beach Environmental Awareness Campaign Hawai'i (B.E.A.C.H.) in strong support of HB525 HD2 which will ban smoking throughout Hawai'i's state park system. I recently visited a number of state parks on O'ahu and found them littered with cigarette butts and stinking of cigarette smoke. There is a vast difference now between Hawai'i's state parks and the cleaner, healthier City and County parks on O'ahu where smoking has been banned island-wide for a year now. The County parks are free of smoke and the huge amounts of cigarette butt litter. The bans are working very successfully resulting in a healthier environment for all.

B.E.A.C.H. has surveyed Honolulu City and County beaches where smoking has been banned and found cigarette butt litter reduced enormously. In some surveys not one butt could be found on the beach. Also we have found the public abiding by the law and very, very happy to have a smoke-free environment especially families with young children who want to come and enjoy the park without breathing in second-hand smoke. I also do my best to avoid smoke, but when people are smoking all around and in the car parks as I have encountered in state parks, it's unavoidable.

There are no designated smoking areas in the smoke-free beaches and parks in Maui County, Hawai'i County and the City and County of Honolulu. All these counties have laws that are in effect and working fine without designated smoking areas. Designated smoking areas will undermine HB525 and will result in areas of the park that are still littered with cigarette butts which can blow and wash into the ocean and people will still be affected by second-hand smoke. Designated smoking areas do not work and this is why they were not included in the laws of the 3 counties that have smoking bans at beaches and parks. For all the reasons related to health and the environment **we respectfully request that you please amend HB525 HD2 to remove the section (see in italics below) related to designated smoking areas found under (a) number 2 - *"provided that the department may designate areas where this section shall not apply"*.**

Beach Environmental Awareness Campaign Hawai'i (B.E.A.C.H.) supported the bans on tobacco at all

beaches and parks in Maui and Hawai'i Counties and the bans of smoking at City and County of Honolulu beaches and parks. B.E.A.C.H. worked closely with the Honolulu County Department of Parks and Recreation, Honolulu Police Department and other organizations on an educational approach to the implementation of the new smoking bans at beaches and parks on O'ahu. B.E.A.C.H. developed educational materials including posters for parks to use, bus placards that are in all county buses, flyers and information cards that were distributed to hotels, tour buses, taxi drivers and many other businesses in order to reach both residents and visitors. B.E.A.C.H. organized meetings with all the City, State and non-profit organizations involved in implementation. Education has been a key factor in the successful implementation of the new law on O'ahu. B.E.A.C.H. also developed a web page with access to educational materials and information about the new law:  
[www.b-e-a-c-h.org/smoke-free-beaches-oahu.html](http://www.b-e-a-c-h.org/smoke-free-beaches-oahu.html)

Smoking is a health issue in regards to second-hand smoke and it is also a health issue for young children who can die or become poisoned from the ingestion of cigarette butts. Hydrogen cyanide, arsenic and formaldehyde are just some of the up to 4000 dangerous chemicals that are in used cigarette butts that litter beaches. Butts can also smolder up to 3hrs when they are dropped and still lit. No other plastic item littered on beaches releases toxic smoke.

Many parks also include shorelines and cigarette butts pose a health hazard for fish and other marine life. When cigarette butts wash into the ocean, toxic chemicals and nicotine (one of the most lethal natural insecticides on the planet) leach out of the butts within an hour of contact with water, killing fish. So cigarette butts aren't just any litter and this is not just an aesthetic problem - one concerning dirty parks. Cigarette butts are dangerous, toxic litter that are especially harmful to young children, fish and other marine life.

Cigarette butts are the number one most littered plastic item. They are made from cellulose acetate - a type of plastic and plastic does not biodegrade. It does not have a timeline for disappearing. Plastic lasts forever. When plastic gets into the ocean it accumulates additional poisons such as dioxins and other persistent organic pollutants. Fish, whales, sea turtles, sea birds and other marine life are ingesting plastic in the ocean. We need to do everything we can to reduce plastic litter throughout Hawai'i's state park system and in the ocean in order to protect Hawai'i's marine life.

A smoking ban throughout the state park system in Hawai'i will make a huge difference, resulting in cleaner parks and a healthier environment for all - residents, visitors and marine life.

Thank you for the opportunity to provide written testimony in strong support of HB525 HD2.

Sincerely,

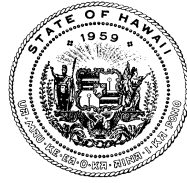


Suzanne Frazer.  
President, B.E.A.C.H.



*Beach Environmental Awareness Campaign Hawai'i is an all volunteer, non-profit organization that brings awareness and solutions to marine debris through environmental education, plastic reduction/litter prevention campaigns, and marine debris removal and research in order to protect Hawai'i's marine life, sea birds and ocean/coastal environment.*





STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB0525,HD2  
RELATING TO STATE PARKS**

REPRESENTATIVE KARL RHOADS, CHAIR  
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 24, 2015

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) supports HB0525,HD2 which  
3 prohibits smoking and the use of tobacco products within the state park system. The DOH defers  
4 to the Department of Land and Natural Resources (DLNR) regarding its request for flexibility in  
5 sign postings as long as the tobacco use prohibitions are clearly noted.

6 The DOH acknowledges the intent of this measure is to uphold and expand healthy social  
7 norms by prohibiting smoking and tobacco use in public places. Smoke-free and tobacco-free  
8 environments positively influence tobacco use behaviors. According to the Centers for Disease  
9 Control and Prevention (CDC), there is strong evidence that smoke-free policies reduce tobacco  
10 use among youth. Movement toward policies that prohibit tobacco use where many residents  
11 and tourists visit for recreation will help dissociate the act of smoking from healthy lifestyles.

12 Creating smoke-free or tobacco-free parks is an important step toward protecting the  
13 public from involuntary exposure to secondhand smoke (SHS) and the toxic effects of tobacco  
14 litter. In parks and beaches, most cigarette butts end up in the sand, grassy areas, or parking lots,  
15 presenting potentially serious health risks to children and pets due to ingestion and choking.  
16 Discarded cigarette butts leach toxic chemicals into the ground and waterways, damaging the  
17 ecosystem and threatening the longevity of the natural environment. In 2013, the National  
18 Poison Control Center reported 5,509 cases of children under the age of 5 years ingesting  
19 cigarettes and cigarette butts in the United States. The Center receives between 15 to 23 calls  
20 from Hawaii each year for this age group.

1           The introduction of this bill capitalizes on the momentum already begun on the county  
2 level. Community organizations and students have demonstrated strong belief in this cause to  
3 protect health and the environment by eliminating smoking and toxic, tobacco-related litter  
4 where people live, work, and play.

5           This measure allows for designation of areas where tobacco products may be used. DOH  
6 does not support expressed provision of designated smoking (or tobacco use) areas in the bill  
7 language because it tends to create legal loopholes for violators and defeats the purpose of 100%  
8 smoke-free policies. It also complicates law implementation and enforcement. The three county  
9 ordinances regarding smoking in parks and beaches do not provide for designated smoking areas.  
10 Allowing such in state parks would create confusion for lack of consistency.

11 **Offered Amendments:** The DOH suggests expanding the following definitions to those  
12 approved by the State Attorney General:

13           "Tobacco product" to be codified in the singular case:

14           "Tobacco product" means any product made or derived from tobacco, that contains  
15 nicotine or other substances, and is intended for human consumption or is likely to be  
16 consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by  
17 any other means, including, but not limited to, a cigarette, cigar, pipe tobacco, chewing  
18 tobacco, snuff, snus, or an electronic smoking device. "Tobacco product" does not include  
19 drugs, devices, or combination products approved for sale by the U.S. Food and Drug  
20 Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act."

21           The DOH further suggests removing any reference to designated smoking areas.

22           Thank you for the opportunity to testify.

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
megan lamson	mehana consulting	Support	No

Comments: According to Ocean Conservancy, cigarette butts continue to be the MOST collected identifiable item along US shorelines in the annual International Coastal Cleanup event. Here locally, we recently helped remove over 1,263 butts from the cliffs at South Point (Ka Lae) on Hawai'i Island this past January 23rd in a matter of a couple hours. Litter bugs us, and is also harmful to our both native wildlife and the tourism industry in Hawai'i. If smokers are unable to clean up after themselves, then bills to ban smoking in public parks, such as this one (HB 525) are necessary to bring about a change. Mahalo for supporting this forward-thinking initiative



**LATE**

Jodi Malinoski

Rise Above Plastics Coalition: Surfrider Foundation Oahu Chapter

House Bill 525: Smoke-free State Parks

Committee on Judiciary, Hearing February 24<sup>th</sup>, 2015 at 2 PM, Room 325

**Strong Support of HB 525**

Dear Chair Rhoads, Vice Chair San Buenaventura, and Committee members:

Aloha and good afternoon. My name is Jodi Malinoski and I am the Rise Above Plastics Coordinator for Surfrider Foundation Oahu Chapter. The Rise Above Plastics coalition comprises of five environmental groups: Surfrider Foundation, Styrophobia, Sustainable Coastlines, Conservation Council for Hawaii, and Kōkua Hawaii Foundation; I am writing to represent our coalition who is in **strong support of House Bill 525**.

My Father has had bladder cancer since 2008. He has had 5 surgeries to remove malignant tumors; the most recent was less than two weeks ago. Because of complications that arose from this last surgery, he needs to complete another, sixth surgery within the next few weeks, before starting a painful two-month long chemotherapy treatment. When he was diagnosed with cancer his doctor told him the cause was most likely from cigarettes. Although he had smoked for ten years and quit, he was exposed to secondhand smoke from my Grandfather, who smoked pipe tobacco. -This is the reason I am writing to you now, because tobacco has affected my entire family. The legality of smoking in public spaces and exposure of innocent people to the effects of secondhand smoke needs to stop in the state of Hawai'i.

Cigarettes are the most littered item in the world. They contain plastics that never break down in the natural environment and thousands of cigarette butts are collected at every Surfrider and Sustainable Coastlines cleanup. Smoking has been banned in most city and county beaches and parks and the same should be in the State park system.

Please pass HB 525 for not only the environment, but for my Father who is battling cancer every day. Thank you for this opportunity to share my story and I urge you to pass this Bill.

Warmest Mahalo,

Jodi Malinoski

**LATE**



February

To: The Honorable Rep. Karl Rhoads, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
Members of the House Judiciary Committee

Re: Strong Support for HB 525, HD2, Relating to State Parks

Hrg: February 24, 2015 at 2:00PM in Room 325

By: Valerie Chang, JD, Executive Director  
Hawaii COPD Coalition, [www.hawaiicopd.org](http://www.hawaiicopd.org)  
733 Bishop Street, Suite 1550, Honolulu, HI 96813  
(808)699-9839  
[copd.hawaii@yahoo.com](mailto:copd.hawaii@yahoo.com)

I thank you for this opportunity in **STRONG SUPPORT of HB525 HD2**, which allows all of the people in Hawaii to allow clean air in our state parks, WITHOUT tobacco products. Smoking is currently NOT prohibited in our state parks. Our organization strongly supports prohibiting the use of tobacco, including Electronic Smoking Devices (ESDs) in our Hawai'i parks.

My name is Valerie Chang. I am Executive Director of the Hawaii COPD Coalition. Our organization provides services and support to Hawaii's people affected by Chronic Obstructive Pulmonary Disease, more commonly known as emphysema and chronic bronchitis. COPD is now the third leading cause of death in the US and second leading cause of disability. Over 46,015 people in Hawaii have already been diagnosed with COPD and it is estimated that at least 46,015 more people may suffer from COPD but remain undiagnosed. Many of these COPD patients were seduced by nicotine and tobacco when they were very young and unable to quit the addiction for decades, causing irreparable harm. There are over \$55 million in COPD hospital charges in Hawaii each year.

I support this bill because I believe our parks should be tobacco-free. Current laws on the county level do not cover all our parks and do not include ESDs (except in Hawai'i County). ESDs are not FDA approved smoking cessation devices and the aerosol they emit is not harmless water vapor. ESDs are currently unregulated and emit nicotine, ultra-fine particles, and other toxins into the air. People with lung disease including those with COPD and the 10% of Hawaii's people who have asthma have VERY sensitive airways that can easily be triggered to have a lung attack or an asthma attack by exposure to ESDs and tobacco products. All of Hawaii's people should be allowed the right to enjoy fresh clean air, unpolluted by tobacco and other vapors.

Secondhand tobacco smoke is also very dangerous with 7,000 identifiable chemicals, 69 of which are known or probable carcinogens. Studies have shown that when people are in close proximity to each other, the levels of exposure to secondhand smoke can be comparable to secondhand smoke levels measured within enclosed spaces.

I support tobacco-free parks and urge you to pass **HB 525 HD2** in order to protect residents and tourists alike from inadvertent exposure to nicotine and other chemicals and poisons. Thanks for the opportunity to testify about this issue that is so vital to the health of Hawaii and our nation. This issue is very important to our state and our Hawaii COPD Coalition is very glad that this committee has taken a leadership role in addressing this important matter. Please pass this bill, **HB 525 HD2 to help protect all of the people in our state**. Thank you.

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Chatterson	Individual	Support	No

Comments:



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fawn Liebengood	Individual	Support	No

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
mary	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Individual	Support	No

Comments: I support this measure both as a matter of safety and a matter of fairness.

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

**LATE**

	Organization	Testifier Position	Present at Hearing
ROXANNE RIVERO	Individual	Support	No

Comments: i am in full support of this bill, pls pass this bill in its entirety

House Committee on Judiciary (Oahu)

**LATE**

February 25, 2015

To: The Honorable Karl Rhoads, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
Members, House Committee on Judiciary

Re: Strong Support for HB 525, HD2, Relating to State Parks

Hrg: Tuesday, February 24, 2015 at 2:00 PM, Room 325

Thank you for the opportunity to submit testimony in strong support of HB 525 HD2.  
I strongly support prohibiting the use of tobacco, including electronic smoking devices (ESDs) in Hawai'i's parks.

I support this bill because I believe our parks should be tobacco-free. Current laws on the county level do not cover all our parks and do not include ESDs (except in Hawai'i County). ESDs are not FDA approved smoking cessation devices and the aerosol they emit is not harmless water vapor. ESDs are currently unregulated and emit nicotine, ultra-fine particles, and other toxins into the air.

Secondhand tobacco smoke is also very dangerous with 7,000 identifiable chemicals, 69 of which are known or probable carcinogens. Studies have shown that when people are in close proximity to each other, the levels of exposure to secondhand smoke can be comparable to secondhand smoke levels measured within enclosed spaces.

I support tobacco-free parks and urge you to pass HB 525 HD2 in order to protect residents and tourists alike from inadvertent exposure to nicotine and other chemicals and poisons.

Mahalo,  
Bryan Mih, MD MPH FAAP  
Pediatrician

Bryan Mih  
1944 Naniu Pl  
Honolulu, HI 96822



House Committee on Judiciary (Oahu)

**LATE**

Febru

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The Honorable Joy A. San Buenaventura, Vice Chair  
Members, House Committee on Judiciary

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Kanani Kilbey  
642 Ulukahiki Street  
Suite 105  
Kailua, HI 96734



House Committee on Judiciary (Oahu)

**LATE**

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The Honorable Joy A. San Buenaventura, Vice Chair  
Members, House Committee on Judiciary

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Brent Tamamoto  
99-210 Kauhale Street  
Suite C-22  
Aiea, HI 96701



**LATE**

on Oahu Chapter  
House Bill 525, Smoke Free State Parks

Committee Judiciary

February 24<sup>th</sup> 2015, 2:00PM

In Strong Support

Aloha Members of House Judiciary Committee,

I am writing to voice my strong support for House Bill 525, the establishment of smoke free State Parks. I have spent the last two years volunteering and working for the Surfrider Foundation after finishing my masters in Environmental Management at UH. During my time in Hawai'i I have witnessed the profound amount of litter that is dumped on our beautiful island; cigarette butts are some of the most prevalent forms of this public waste. On January 31<sup>st</sup> as part of a statewide beach cleanup, the Oahu Chapter of Surfrider and its volunteers collected over 5000 cigarette butts in a little over an hour and half at Oneula Beach Park. Around the State the numbers reached over 15,000 butts in a short period of time. These are coming only from the beaches that we cleaned, when multiplied across the island's beaches and parks as a whole the numbers would be staggering and quite frankly – disgusting.

We are all well aware at this point of the detriments of smoking cigarettes as they contain nasty chemicals that are not only harmful to our own health, but also the health of the environment. Those facts are not debated anymore. However, I understand that we still need to protect our personal freedoms, even if that may be someone's choice to smoke and harm themselves. There was a time in my life when I may not have appreciated this bill, but having seen the amount of toxic litter that ends up in our storm drains and on our beaches, I have to believe that we will be better off as a society if we keep smoking off of our beaches and out of our parks. Our counties have begun the process of making the islands smoke free on beaches and parks, but our state can take another step towards a cleaner and healthier future.

Thank you for considering this bill and all the time that you put into reading testimony from the community.

Cheers,  
Rafael Bergstrom  
Oahu Chapter Coordinator, Surfrider Foundation